

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

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**AMARI SHERIFF,**

*Plaintiff,*

v.

**RECHECK FUNDING, LLC and PHIL  
HARRIS,**

*Defendants.*

**CIVIL ACTION NO.  
5:19-cv-00408-TES**

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**ORDER CONFIRMING ARBITRATION AWARD**

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Before the Court is Plaintiff's Motion to Confirm Arbitration Award and for Entry of Judgment [Doc. 20]. Plaintiff filed his Complaint [Doc. 1] on October 13, 2019 alleging that Defendants had violated the Fair Debt Collection Practices Act and the Georgia Fair Business Practices Act. Following the filing of separate Answers by both Defendants and limited discovery, the parties filed a Joint Motion to Stay all Proceedings Pending the Parties' Arbitration. [Doc. 16]. The Court granted the parties' motion on May 21, 2020. [Doc. 17]. Arbitrator Bruce W. Bennett entered his Final Award on July 7, 2021. [Doc. 20-1, p. 5]. Plaintiff filed the present Motion on March 14, 2022. [Doc. 20].

Pursuant to the Federal Arbitration Act, this Court has the authority to enter a judgment "upon the award made pursuant to the arbitration" so long as the parties

agreed to as such in their agreement and “within one year after the award is made” a party applies “to the court so specified for an order confirming the award.” *Id.* According to the statute, “the court *must* grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title.” *Id.* (emphasis added). The parties haven’t alleged that the conditions that require any of the above changes are present and in fact, the Defendants never responded to Plaintiff’s Motion to Confirm. As such, the Court confirms the Final Award as follows:

1. Claimants’ claims are dismissed, with prejudice;
2. All amounts herein are awarded to Respondent against Claimants, joint and several;
3. Claimants shall pay Respondent for emotional and mental distress related to the improperly filed appeal in the Peach County, Georgia Magistrate Court in the amount of \$10,000.00;
4. Claimants shall pay Respondent for attorneys’ fees and costs in the amount of \$33,964.00. this amount includes \$33,000.00 for attorneys’ fees and \$964.00 for certain costs.
5. The administrative fees of the American Arbitration Association (AAA) totaling \$1,900.00 and the Arbitrator’s compensation totaling \$7,530.00 shall be borne by Claimants. Therefore, Claimants shall pay Respondent the Additional sum of \$2,530.00 representing amounts previously advanced to the AAA by Respondent.

Accordingly, the Court **DIRECTS** the Clerk of Court to enter **JUDGMENT** totaling \$55,924.00 in favor of Plaintiff, Amari Sheriff, to be distributed in accordance with the above Award, against Defendants Recheck Funding, LLC and Phil Harris.

**SO ORDERED**, this 21st day of April, 2022.

S/Tilman E. Self, III

**TILMAN E. SELF, III, JUDGE  
UNITED STATES DISTRICT COURT**